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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Kenneth T. Heruth; Keith A. Miesel	Confirmation No.	8232
Serial No.:	10/825,964	Filed:	April 15, 2004
Examiner:	Matthew Dutton Dryden	Group Art Unit:	3736
Docket No.:	1023-360US01	Customer No.:	28863
Title:	DETECTING SLEEP		

CERTIFICATE UNDER 37 CFR 1.8: I hereby certify that this correspondence is being deposited with the United States Post Service, as First Class Mail, in an envelope addressed to: Commissioner for Patents, Alexandria, VA 22313-1450 on August 1, 2006

By: *Shirley A. Botlach*
Name: Shirley A. Botlach

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Mail Stop Amendments
Commissioner for Patents
Alexandria, VA 22313-1450

Dear Sir:

Applicant submits the references listed on the attached form PTO-1449. This Information Disclosure Statement is being filed after a first Office Action on the merits but before a Notice of Allowance or a Final Rejection.

Copies of the U.S. patents are not enclosed as this requirement has been waived by the U.S. Patent Office.

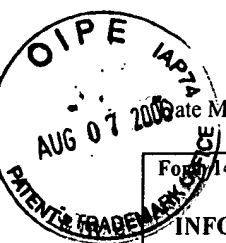
Our check in the amount of \$180.00 is enclosed to cover the required fee set forth in §1.17(p) for a large entity. Please apply any other charges or credits to Deposit Account No. 50-1778.

Date: 8/1/06

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Respectfully submitted,

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Form 1449* INFORMATION DISCLOSURE STATEMENT IN AN APPLICATION (Use several sheets if necessary)	Docket Number: 1023-360US01	Application Number: 10/825,964
	Applicant: Kenneth T. Heruth; Keith A. Miesel	
	Filing Date: April 15, 2004	Group Art Unit: 3736
	Examiner Name: Matthew Dutton Dryden	

U.S. PATENT DOCUMENTS

Examiner Initial	Document Number	Issue/Document Publication Date	Name	Filing Date If Appropriate
	5,895,371	04/20/1999	Levitas et al.	
	6,884,596 B2	04/26/2005	Civelli et al.	
	2005/0177192	08/11/2005	Rezai et al.	

FOREIGN PATENT DOCUMENTS

Examiner Initial	Document Number	Publication Date	Country	Translation	
				Yes	No

OTHER DOCUMENTS (Including Authors, Title of Item, Page(s), Vol/Issue No., Publisher, Place of Publication)

EXAMINER	Date Considered
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*Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.